

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

**National Association Of Social
Workers, et al.,**

Plaintiffs,

v.

City of Lebanon, Ohio, et al.,

Defendants.

Case No. 1:22-cv-00258-SJD

Judge Susan Dlott

**UNOPPOSED MOTION TO EXTEND TIME TO FILE
ANSWER OR RULE 12(b) MOTIONS**

The deadline for the defendants to file their answer or Rule 12(b) motions is Tuesday, September 6, 2022. The defendants respectfully request a 30-day extension, which would require the defendants to file their answer or Rule 12(b) motions by Thursday, October 6, 2022. The plaintiffs are unopposed to this request.

The defendants are requesting this extension of time because the city of Lebanon will be circulating its replacement ordinance to the city council tomorrow, which will be placed on the agenda for a work session on September 6, 2022. The first vote on the replacement ordinance will be held on September 13, 2022. The defendants have already shared a copy of the draft replacement ordinance with counsel for the plaintiffs.

Per our agreement with the plaintiffs, the defendants will not enforce the new ordinance for 40 days after its enactment, and the plaintiffs will have 10 days from the date of enactment to inform the Court whether they will continue proceeding with their lawsuit or their motion for preliminary injunction.

CONCLUSION

The motion to extend the deadline for filing an answer or Rule 12(b) motion should be granted.

Respectfully submitted.

JOSEPH C. PICKENS
Ohio Bar No. 0076239
Trial Attorney
Isaac Wiles
Two Miranova Place, Suite 700
Columbus, Ohio 43215-5098
(614) 340-7416 (phone)
(614) 365-9516 (fax)
jpickens@isaacwiles.com

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL*
Texas Bar No. 496344
Mitchell Law PLLC
111 Congress Avenue, Suite 400
Austin, Texas 78701
(512) 686-3940 (phone)
(512) 686-3941 (fax)
jonathan@mitchell.law

* admitted *pro hac vice*

Dated: September 1, 2022

Counsel for Defendants

CERTIFICATE OF CONFERENCE

I have conferred with Jessie Hill, counsel for the plaintiffs, and she informed me that the plaintiffs are unopposed to this motion.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on September 1, 2022, I served this document through CM/ECF upon:

B. JESSIE HILL
FREDA J. LEVENSON
ELENA M. THOMPSON
REBECCA KENDIS
ACLU of Ohio Foundation
1108 City Park Avenue, Ste. 203
Columbus, OH 43206
Phone: (216) 368-0553 (Hill)
(614) 586-1972
Fax: (614) 586-1974
bjhl1@case.edu
flevenson@acluohio.org
ethompson@acluohio.org
rebecca.kendis@case.edu

JOHN LEWIS
KRISTEN MILLER
SEAN LEV
Democracy Forward Foundation
P.O. Box 34553
Washington, DC 20043
(202) 601-2483
jlewis@democracyforward.org
kmiller@democracyforward.org
slev@democracyforward.org

Counsel for Plaintiffs

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Counsel for Defendants